

HMK/mjg CH 7967

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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FEDERAL INSURANCE COMPANY,
A/S/O ROCKWELL FREIGHT
FORWARDING, LLC and
UNIFOLD CORPORATION,

Plaintiff,

-against-

JASMIN INTERNATIONAL CORP.

Defendants.
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ECF

JUDGE KEENAN

08 Civ. 0221(JFK)

REPLY TO COUNTERCLAIM

Plaintiffs, Federal Insurance Company, A/S/O Rockwell Freight Forwarding, LLC, and Unifold Corporation, by their undersigned attorneys, for their Reply to the Counterclaim of defendant alleges, as follows:

1. Denies the allegations of the Counterclaim.

First Affirmative Defense

2. The Counterclaim fails to state a cause of action.

Second Affirmative Defense

3. Defendant is not entitled to freight as defendant negligently damaged the goods entrusted to it and deprived plaintiff of the ability to earn its own freight.

WHEREFORE, Plaintiffs respectfully demand the Counterclaim of defendant Jasmin International Corp. be dismissed with costs to plaintiff.

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